

MCCABE, WEISBERG & CONWAY, P.C.

OCTOBER 4, 2013

SUITE 303


216 HADDON AVENUE

WESTMONT, NJ 08108

856-858-7080

U.S. BANKRUPTCY COURT  
FILED  
NEWARK, NJ

13 OCT -7 AM 11:36

JAMES J. WALDRON  
BY:   
DEPUTY CLERK

RE: LEONOR ORDAZ

CHAPTER 13

CASE No. 13-24151 DHS

TO WHOM MA IT CONCERN;

I HAVE FILE CHAPTER 13 AS AN EMERGENCY BASIS IN ORDER TO GET A MORTGAGE LOAN RESTRUCTURATION. OBJECTION TO CONFIRMATION OF AMENDED CHAPTER 13 PLAN . THE EXECUTION OF THE WRIT OF WAGE OF MILTON HERNANDEZ HAS TO BE FORWARD BECAUSE THE LOAN BELONGS TO HIM, SINCE HE IS PORTRAYING TO BE MY HUSBAND. HE TOOK THE WELLS FARGO LOAN AS WELL AS THE HOME EQUITY OF MY HOUSE 521 TENAFLY RD. ENGLEWOOD, NJ, TO BUY THE CLIFFSIDE PARK HOUSE UNDER HIS NAME. I WAS NEVER ALLOW TO SEE BOTH CHECKS, AND I WAS NEVER ALLOW TO SEE A DOLLAR FROM THE RENT OF THE HOUSE OR EITHER TO MAKE ANY DECISIONS OF THE HOUSE. BUT I AM THE ONE WHO IS PAYING THE PNC HOME EQUITY LOAN ILLEGALLY.

I ASKED SEVERAL TIMES TO HAVE MY NAME AND ANY LIEN TO MY HOUSE 521 TENAFLY RD. ENGLEWOOD, NJ 07631 REMOVED WITHOUT BEING HEARD WHILE I WAS IN COURT FOR DIVORCE PROCEEDINGS. I EXPOSED TO THE JUDGE THAT HE IS A PERSON WHO IS PORTRAYING TO BE MY HUSBAND RETAINING THE CLIFFSIDE PARK, NJ HOUSE, AS WELL AS OTHER PROPERTY AND THE CUSTODY OF MY CHILDREN INSTEAD OF MY REAL HUSBAND.

I AM EXPECTING TO BE UNDER CHAPTER 13 UNTIL MY LOAN MODIFICATION IS APPROVED, IF I AM ACCEPTED BY THE NVE BANK AND THE UNITED STATES BANRUPCY COURT. I ASK THE OPPORTUNITY TO BE IN CHAPTER 13, UNTIL MY LOAN MODIFICATION IS APPROVED. THE LAW FIRM IS CREDENCE LAW AND IS WORKING WITH ME SINCE ILINE 2013 AND THE NVE BANK

CC. MANERI LAW FIRM, L.L.C.



**MANERI LAW FIRM, L.L.C.**

**ATTORNEYS AT LAW**

30 Two Bridges Road, Suite 260

Fairfield, New Jersey 07004-1551

Telephone (973) 575-2755 Facsimile (973) 575-8283

Email: [info@NJLawMM.com](mailto:info@NJLawMM.com)

Website: [www.NJLawMM.com](http://www.NJLawMM.com)

Michael S. Maneri

July 11, 2013

▲ Member of NJ and NY Bar

Patrick J. O'Dea ▲  
Barbara A. Karpowicz

Of Counsel:  
Kenneth L. Konner  
Doris J. Newman

Bergen County Sheriff's Office  
Justice Center, 10 Main Street  
Hackensack, NJ 07601-7699  
Attn: Civil Process

**Re: Wells Fargo Bank, N.A. v. Milton Hernandez and Leonor Ordaz**  
**Docket No. BER-L-4204-11**  
**Sheriff # 517139**  
**Our File No. 03375.050198**

Sir/Madam:

This office represents the Plaintiff, Wells Fargo Bank, N.A., in connection with the above-referenced matter. Please be advised that the **Defendants, Milton Hernandez and Leonor Ordaz has filed for Chapter 13 bankruptcy** protection. The following is the pertinent information in connection with the bankruptcy case:

|                       |   |
|-----------------------|---|
| <b>Debtors:</b>       | <b>Milton Hernandez and Leonor Ordaz</b>                                |
| <b>Bankruptcy No.</b> | <b>13-24151</b>   |
| <b>Filed:</b>         | <b>6/27/13</b>  |
| <b>Attorney:</b>      | <b>Leonor Ordaz, Pro se</b><br>521 Tenaflly Road<br>Englewood, NJ 07631 |

As you are aware, pursuant to the automatic stay provisions of the U.S. Bankruptcy Code, my client is barred from proceeding against Victor Rivera without permission from the Bankruptcy Court. As such, kindly proceed as follows:

1. Cease execution of the Writ of Wage Execution currently in your possession as to Defendant, Milton Hernandez;

**THIS FIRM IS A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION ACQUIRED WILL BE USED FOR THAT PURPOSE.**

Sheriff, Bergen County  
July 11, 2013  
Page 2

2. Forward all monies collected from the Milton Hernandez directly to the this office and we will refund the funds as appropriate; and
3. Return the outstanding Writ of Wage Execution to the court marked partially satisfied.

Very truly yours,



Michael S. Maneri

By facsimile only 201 752 4234  
MSM/jas

c: Wells Fargo Bank, N.A.  
Leonor Ordaz, Pro Se

**THIS FIRM IS A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION ACQUIRED WILL BE USED FOR THAT PURPOSE.**

**McCABE, WEISBERG & CONWAY, P.C.**

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123 SOUTH BROAD STREET  
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FAX (215) 790-1274

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4021 UNIVERSITY DRIVE  
FAIRFAX, VA 22030  
703-273-3508  
FAX (301) 490-1568

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312 MARSHALL AVENUE  
LAUREL, MD 20707  
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Also servicing the District of Columbia

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WESTMONT, NJ 08108  
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September 24, 2013

SUITE 210  
145 HUGUENOT STREET  
NEW ROCHELLE, NY 10801  
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FAX (914) 636-8901

SUITE 100  
30 BUXTON FARMS ROAD  
STAMFORD, CT 06905  
(203) 992-8200  
FAX (855) 425-1979

SUITE 130  
DELAWARE CORPORATE CENTER  
ONE RIGHTER PARKWAY  
WILMINGTON, DELAWARE 19803  
(302) 409-3520  
FAX 855-425-1980

Leonor Ordaz  
521 Tenaflly Road  
Englewood, New Jersey 07631

Re: Leonor Ordaz  
Chapter 13  
Case No. 13-24151 DHS  
Movant/ Our Client: Wells Fargo Bank, N.A.

Dear Debtor:

Enclosed please find a copy of the Objection to Confirmation of Amended Chapter 13 Plan, as well as supporting documents, which have been electronically filed with the court.

If you have any questions, or need any additional information, please contact your attorney. Please do not contact this office directly if you are represented by an attorney in this bankruptcy case.

Very truly yours,  
McCABE, WEISBERG & CONWAY, P.C.

Jennifer M. Hillier  
Paralegal

ATG/jhi  
Enclosures

## File a Response or Objection :

13-24151-DHS Leonor Ordaz

Type: bk

Chapter: 13 v

Office: 2 (Newark)

Assets: y

Judge: DHS

**U.S. Bankruptcy Court**

**District of New Jersey**

Notice of Electronic Filing

The following transaction was received from Alexandra T. Garcia entered on 9/24/2013 at 2:39 PM EDT and filed on 9/24/2013

**Case Name:** Leonor Ordaz

**Case Number:** 13-24151-DHS

**Document Number:** 31

### Docket Text:

Objection to Confirmation of Plan (related document:[18] Chapter 13 Plan, Motions Included:. Filed by Leonor Ordaz. (wdh) filed by Debtor Leonor Ordaz, [30] AMENDED Chapter 13 Plan, ONLY FACE PAGE TO INDICATE ORIGINAL FILING STATUS Motions Included:. Filed by Leonor Ordaz. (wdh) Modified TEXT on 9/23/2013 (wdh). filed by Debtor Leonor Ordaz) filed by Alexandra T. Garcia on behalf of WELLS FARGO BANK, N.A.. (Attachments: # (1) Certificate of Service) (Garcia, Alexandra)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**Ordaz Obj to Plan.pdf

**Electronic document Stamp:**

[STAMP bkecfStamp\_ID=1002741850 [Date=9/24/2013] [FileNumber=36799109-0] [a02fcc0bf3e83442074930c95fcd9a28b4dd4171a0416c3500cf96a050a23e8e20f5d48266fbf17f9cd71754e44e9ba03aafd8c04bd5d45047e52e59e2720daf]]

**Document description:**Certificate of Service

**Original filename:**C:\fakepath\Ordaz COS Obj to Plan.pdf

**Electronic document Stamp:**

[STAMP bkecfStamp\_ID=1002741850 [Date=9/24/2013] [FileNumber=36799109-1] [164bbfd79ad0ab2b330588b5df17eaa674c60a7ef27a7614687935ab68617ea7f90913a7f13ee829b618baf3c88387d322b15d52f95fd3822cf90b1daa36f422]]

**13-24151-DHS Notice will be electronically mailed to:**

U.S. Trustees Office

Joel A. Ackerman on behalf of Creditor NVE Bank  
jackerman@zuckergoldberg.com

Joel A. Ackerman on behalf of Creditor NVE Bank  
jackerman@zuckergoldberg.com

Joel A. Ackerman on behalf of Creditor NVE Bank  
bankruptcynotice@zuckergoldberg.com

Frances Gambardella on behalf of Creditor NVE Bank  
bankruptcynotice@zuckergoldberg.com

Alexandra T. Garcia on behalf of Creditor WELLS FARGO BANK, N.A.  
NJEFCMAIL@mwc-law.com

Marie-Ann Greenberg  
magecf@magtrustee.com

**13-24151-DHS Notice will not be electronically mailed to:**

Leonor Ordaz  
521 Tenaflly Rd.  
Englewood, NJ 07631

**McCABE, WEISBERG & CONWAY, P.C.**  
**By: Alexandra Garcia, Esquire (Atty. I.D.# ATG4688)**  
**216 Haddon Avenue., Suite 303**  
**Westmont, NJ 08108**  
**856-858-7080**

**Attorneys for Movant: Wells Fargo Bank, N.A.**

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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Newark Vicinage**

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IN RE:

Leonor Ordaz  
Debtor

Case No.: 13-24151 DHS

Chapter: 13

Judge: Donald H. Steckroth

**CERTIFICATION OF COUNSEL IN SUPPORT OF OBJECTION OF WELLS FARGO BANK, N.A. TO CONFIRMATION OF DEBTOR'S AMENDED CHAPTER 13 PLAN**

Alexandra Garcia, Esquire, of full age, hereby certifies as follows:

1. I am an attorney at law of the State of New Jersey, and an associate with McCabe, Weisberg & Conway, P.C., attorneys for Wells Fargo Bank, N.A., a secured creditor in the above referenced bankruptcy proceeding. I am fully familiar with the facts of this a case and am authorized to make this certification.

2. Wells Fargo Bank, N.A. is a secured creditor and mortgage lien holder on real property owned by the Debtor and located at 521 Tenaflly Road, Englewood, New Jersey 07631.

3. The Debtor filed a Chapter 13 Bankruptcy Petition on June 27, 2013 and a Chapter 13 Plan on August 16, 2013. Debtor filed an Amended Chapter 13 Plan on September 23, 2013.

4. Debtors' Amended Chapter 13 Plan does not allow for the repayment of arrears estimated in the amount of \$34,509.37. A Proof of Claim is not yet on file with the Court, but will soon be filed on behalf of Wells Fargo Bank, N.A.

5. Wells Fargo Bank, N.A. reserves the right to file a Proof of Claim after Confirmation, but before the bar date of November 4, 2013.

6. Debtor's Amended Chapter 13 Plan also fails to list monthly post-petition payments to Wells Fargo Bank, N.A. in the amount of \$1,571.96.

7. Wells Fargo Bank, N.A. objects to the confirmation of Debtor's Amended Chapter 13 Plan to the extent that it fails to adequately provide for payment of pre-petition arrears and monthly adequate payments to Wells Fargo Bank, N.A..

8. Wells Fargo Bank, N.A. respectfully requests that the court deny confirmation of Debtor's Amended Chapter 13 Plan, and require the Debtors to file an Second Amended Chapter 13 Plan providing for payment of arrearages due Wells Fargo Bank, N.A..

9. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

McCABE, WEISBERG & CONWAY, P.C.

/s/ Alexandra T. Garcia  
Alexandra T. Garcia, Esquire

Date: September 24, 2013



UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-2(c)

**McCABE, WEISBERG & CONWAY, P.C.**  
**By: Alexandra T. Garcia, Esq. (Atty.**  
**I.D.#ATG4688)**  
**216 Haddon Avenue., Suite 303**  
**Westmont, NJ 08108**  
**856-858-7080**  
Attorneys for Movant: Wells Fargo Bank, N.A.

IN re:

Leonor Ordaz  
Debtor

Case No.: 13-24151 DHS  
Chapter: 13  
Hearing Date: September 25, 2013 at 9:00  
a.m.  
Judge: Donald H. Steckroth

### CERTIFICATION OF SERVICE

1. I, Jennifer M. Hillier:

☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for Alexandra T. Garcia, Esq., who represents the Movant in the above captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On September 24, 2013, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

- Objection to Confirmation of Amended Chapter 13 Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: September 24, 2013

/s/ Jennifer M. Hillier  
Signature

| Name and Address of Party Served  | Relationship of Party to the Case | Mode of Service   |
|---|-----------------------------------|---|
| Leonor Ordaz<br>521 Tenaflly Road<br>Englewood, New Jersey 07631  | Debtor                            | <input type="checkbox"/> Hand-delivered<br><input checked="" type="checkbox"/> Regular mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *)            |
| Leonor Ordaz, Pro Se<br>521 Tenaflly Road<br>Englewood, New Jersey 07631  | Attorney for Debtor               | <input type="checkbox"/> Hand-delivered<br><input checked="" type="checkbox"/> Regular mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *)            |
| Marie-Ann Greenberg<br>Chapter 13 Standing Trustee<br>30 Two Bridges Road<br>Suite 330<br>Fairfield, New Jersey 07004 | Chapter 13 Trustee                | <input type="checkbox"/> Hand-delivered<br><input checked="" type="checkbox"/> Regular mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *) |

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.

rev. 4/24/12